

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RICHARD DENSON,

Petitioner,

2:15-cv-01473-APG-PAL

vs.

ORDER

DWIGHT NEVEN, *et al.*,

Respondents.

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This action is a petition for writ of habeas corpus by Nevada prisoner Richard Denson. On August 17, 2015, Denson submitted an application to proceed *in forma pauperis* (ECF No. 1), a petition for a writ of habeas corpus (ECF No. 4), and a motion for appointment of counsel (ECF No. 2). On August 4, 2015, finding Denson able to pay the filing fee, the court denied his application to proceed *in forma pauperis* and ordered him to pay the filing fee within 30 days (ECF No. 3). Denson did not pay the filing fee within the time allowed; therefore, on September 16, 2015, the court denied Denson's motion for appointment of counsel, dismissed his action, and ordered judgment entered (ECF Nos. 5, 6). The court ordered the September 16, 2015 order, along with a copy of Denson's habeas petition, served on respondents (ECF No. 5). On October 5, 2015, Denson filed a motion for reconsideration (ECF No. 7), requesting more time to pay the filing fee. On November 6, 2015, the court granted the motion for reconsideration, ordered the judgment vacated, and granted Denson more time to pay the filing fee for this action (ECF No. 8).

1 Respondents appeared in this action on November 16, 2015 (ECF No. 9).

2 On January 8, 2016, Denson paid the filing fee for this action (ECF No. 11).

3 The Court has reviewed Denson's petition for writ of habeas corpus (ECF No. 4), pursuant to
4 Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts, and
5 determines that it merits a response by respondents.

6 **IT IS THEREFORE ORDERED** that respondents shall have 90 days from the date of entry
7 of this order to answer or otherwise respond to the petition for writ of habeas corpus (ECF No. 4).

8 **IT IS FURTHER ORDERED** that if respondents file an answer, petitioner shall have 60
9 days to file a reply. If respondents file a motion to dismiss, petitioner shall have 60 days to file a
10 response to the motion to dismiss, and respondents shall, thereafter, have 30 days to file a reply in
11 support of the motion.

12 Dated: January 19, 2016.

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16 UNITED STATES DISTRICT JUDGE
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